

**TABLE OF CONTENTS**

	<u><b>PAGE</b></u>
M.1 52.252-2 CLAUSES INCORPORATED BY REFERENCE (FEB 1998) .....	M-1
M.2 EVALUATION PROCESS .....	M-1
M.2.1 Evaluation of Proposals .....	M-1
M.2.1.1 General .....	M-1
M.2.1.2 Evaluation Approach .....	M-2
M.2.1.2.1 Compliance Evaluation .....	M-2
M.2.1.2.2 Technical Factors Evaluation .....	M-3
M.2.1.2.3 Price Evaluation .....	M-3
M.3 EVALUATION CRITERIA .....	M-3
M.3.1 Evaluation Factors For Award .....	M-3
M.3.2 Evaluation Criteria .....	M-4
M.4 UNREALISTIC PROPOSALS .....	M-5
M.5 COMPETITIVE RANGE .....	M-5
M.6 FINAL EVALUATION .....	M-5
M.7 AWARD SELECTION BASIS .....	M-5
M.8 DETERMINATION OF RESPONSIBILITY .....	M-6

**M.1 52.252-2 CLAUSES INCORPORATED BY REFERENCE (FEB 1998)**

This contract incorporates one or more clauses by reference, with the same force and effect as if they were given in full text. Upon request, the Contracting Officer will make their full text available. Also, the full text of a clause may be accessed electronically at this/these address(es):

<http://www.arnet.gov/far/>

<u>CLAUSE NUMBER</u>	<u>CLAUSE TITLE</u>	<u>DATE</u>
52.217-5	EVALUATION OF OPTIONS	(JUL 1990)

**M.2 EVALUATION PROCESS**

**M.2.1 Evaluation of Proposals**

**M.2.1.1 General**

This procurement is being conducted using formal source selection procedures, and contract award(s) will be made to the Offeror(s) whose proposal(s) conforms to the solicitation, and is determined to be most advantageous to the Government in accordance with the requirements stated below.

The evaluation will be conducted using the evaluation criteria as set forth in this Section. The Government reserves the right to determine the specific order and duration as the evaluation proceeds, or call for discussions, proposal clarifications, or revisions at any time as may be determined to be in the Government's best interests. Proposal clarification/revision requests may be issued, which encompass any and all written documentation submitted in response to the RFP, as may be deemed necessary by the Contracting Officer to fully explore and evaluate the merits of proposals submitted.

Each proposal shall be initially evaluated for responsiveness to the solicitation, agreed upon terms and conditions, a PASS rating for all of the minimum mandatory requirements as specified in Section C.3.1, and the offeror's agreement to perform all of the requirements for the applicable services in Section C.4 & C.5. The AOUSC reserves the right to consider as acceptable only those proposals that are submitted in accordance with all requirements set forth or referenced in this solicitation. Offerors shall demonstrate an understanding of all requirements and a capability to provide the required services. Offerors failing to fully PASS all of the minimum mandatory requirements in Section C.3.1 and do not agree to perform all of the Sections C.4 and C.5 requirements shall be rejected. The AOUSC

reserves the right to reject proposals that do not address the totality of the solicitation requirements, including the contract terms and conditions. The Government may reject any or all offers if such action is in the public interest.

Any award resulting from this solicitation will be made to the responsible Offeror whose proposal is determined to offer the best overall value to the Government. This will be determined by comparing differences in the value of the offerors' technical excellence. This assessment will involve a determination by the AOUSC of the overall merit of each proposal judged in terms of the Offeror's potential for successfully providing the solicitation requirements within reasonable costs.

Offerors are hereby notified that the AOUSC may utilize a private Contractor to assist in the evaluation of proposals. The Contractor will have access to any and all information contained in an Offeror's proposal and will be subject to the appropriate conflict of interest, standards of conduct, and confidentiality restrictions.

All proposals received will be evaluated under the same procedures. The evaluation will be conducted on all Offeror's proposals submitted in accordance with Section L. Proposals will be examined based upon the evaluation factors specified in sub-section M.3 using Offeror's letter certifying to the Sections C.3.1, C.4 and C.5 requirements, as well as any other information contained in their proposal.

Proposals will be evaluated as described below.

#### **M.2.1.2 Evaluation Approach**

##### **M.2.1.2.1 Compliance Evaluation ( L.17.1, Part 1)**

The Government will evaluate each Offeror's proposal for a **PASS** rating of the minimum mandatory requirements indicated in Section C.3.1. Offeror's who FAIL even one of these Requirements will be deemed as unacceptable and removed from further consideration for award. Offeror's who fully **PASS** the Section C.3.1 Requirements will be further evaluated to ensure the vendor agrees to perform all of the requirements for the applicable services in Sections C.4 and C.5. To be considered technically acceptable, a proposal must clearly indicate compliance with all the requirements contained therein, in accordance with the instructions contained in

Section L.17.1 Any Offeror failing to comply with all of the requirements may be deemed technically unacceptable, and may be dropped from further consideration for contract award based on initial offers.

**M.2.1.2.2      Technical Factors Evaluation (L.17.2, Part 2 & Part 3)**

The Technical Factors will be evaluated utilizing a color scoring scheme. The basis for the color score evaluation will be information contained in the Offeror's proposal, as well as all supporting data and any outside information available to the Government that pertains to the technical excellence sections: Implementation Contract Management Plan; Past Contractual Performance; Corporate Experience; and Advisory Dental Benefit Plan Task Order. The evaluation will assess the technical advantages offered by each Offeror as they relate to the requirements contained in this solicitation.

Offerors are reminded when preparing proposals that the information included in Volume II will be considered in the evaluation and, therefore, should consider the evaluation factors in this section carefully in preparing their technical response.

**M.2.1.2.3      Price Evaluation (L.16.4, Part 4)**

The Price evaluation will look at the offeror's proposed hourly rates for each of the labor categories for all of the contract years over the life cycle/contract life period of 60 months. The schedules required by Section B will be used for this evaluation. The Offeror's proposed hourly rates will be evaluated for reasonableness and price realism. The Government may utilize outside information to determine the reasonableness and realism associated with an offeror's proposed hourly rates.

To determine price reasonableness and realism, the Government will look at each labor rate and determine the overall reasonableness of the labor rates combined in relationship to the technical evaluation.

**M.3      EVALUATION CRITERIA**

### **M.3.1 Evaluation Factors For Award**

For each evaluation area, the evaluation will consist of an assessment of the degree to which the services offered in the proposal provide added value, added capability, and/or reduced risk. In addition, the evaluation will identify the strengths, weaknesses, and risks in each Offeror's proposal based on the evaluation factors identified herein.

The following identifies the factors and sub-factors within each evaluation area:

1. Technical Factors:
  - (a) Implementation/Contract Management Plan (L.17.2.1, Part 2, Section 1)
  - (b) Past Contractual Performance (L.17.2.2, Part 2, Section 2)
  - (c) Corporate Experience (L.17.2.3, Part 2, Section 3)
  - (d) Advisory Dental Benefit Plan Task Order (L.17.3, Part 3; Section J Attachment 2)
    - (1) Methodology and Staffing Requirements
    - (2) Past Experience/Qualifications of Proposed Personnel
    - (3) Past Contractual Experience with Dental Plans

All technical factors are of equal value. All sub-factors under (d) Advisory Dental Benefit Plan Task Order are of equal importance.

2. Price

The Offeror's proposed hourly rate as required in the Section B schedules will be used for the price evaluation. The price evaluation will be conducted as indicated in Paragraph M.2.1.2.3, Price Evaluation.

### **M.3.2 Evaluation Criteria**

The technical evaluation assessment will be depicted by color-code based on the following evaluation criteria:

- a. **BLUE:** Enhanced value and/or capability that is of benefit to the judiciary, and/or is of low risk.
- b. **GREEN:** Satisfactory value and/or capability to the judiciary, and/or is of moderate risk.

- c. **YELLOW:** Reduced value and/or capability to the judiciary, and/or is of high risk.

#### **M.4 UNREALISTIC PROPOSALS**

Offerors are placed on notice that any proposals which are unrealistic in terms of technical commitment or unreasonably low or high in cost or price may be deemed reflective of an inherent lack of technical competence or indicative of failure to comprehend the complexity and risk of the contract requirements and may be grounds for the rejection of the proposal.

#### **M.5 COMPETITIVE RANGE**

While the Government reserves the right to make a contract award based on initial proposals, a competitive range may be required, especially in the event an award is not made based on initial proposals. Only those offeror's who are determined to have a reasonable chance of being selected for contract award, will be included in the competitive range.

#### **M.6 FINAL EVALUATION**

The Government reserves the right to make award on the basis of the initial proposal submission. Offerors should submit initial proposals which respond most favorably to the Government's requirements, from both a technical and price standpoint.

#### **M.7 AWARD SELECTION BASIS**

The purpose of this solicitation is to obtain analytical, advisory, compliance support services for employee benefit plans and administration of the supplemental benefits plans offered to judiciary employees, as described in this solicitation. To that end, multiple contracts may be awarded. The Government will award separate contracts if it is deemed to be in its best interest.

The following conditions shall also be met in order to be eligible for award:

- a. The Offeror must be determined responsible according to the standards in FAR Subpart 9.104-1.
- b. The Offeror's proposal must comply with the requirements of law, regulation, and conditions set forth in the solicitation.
- c. The Offeror's proposal must demonstrate a clear understanding of the nature and scope of work required. Failure to provide a realistic, reasonable, and complete proposal may reflect a

lack of understanding of the work requirements of the contract and may result in a determination that the Offeror is technically unacceptable.

d. The Contracting Officer will determine, based on an integrated assessment of all eligible proposals, the proposal(s) that offers the best overall value to the Government, price and other factors considered.

Upon initial award of contract(s) under this solicitation, the Advisory Dental Plan Task Order Request contained in Section J, Attachment 2 will be awarded to a contract holder, based on the selection criteria specified in the task order.

Future task requests will be issued to all contract holders for preparation and submission of a task order proposal. These task order proposals will be evaluated based on the selection criteria specified in the task request. All task orders will be awarded based on a competition among contract holders unless otherwise expressly approved by the Administrative Office Contracting Officer.

#### **M.8 DETERMINATION OF RESPONSIBILITY**

A "Determination of Responsibility", as defined in FAR 9.104-1, shall be made on the apparent successful offeror prior to contract award. Should a prospective contractor be found non-responsible, that offer shall be rejected and will receive no further consideration for award.

Responsibility will be determined by the Contracting Officer by analyzing the Offeror's capability to perform (including financial resources and the necessary organization, or the ability to obtain them) using information provided in the proposal and any other source(s) required to make this determination.

[END OF SECTION M]